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SUBJECT: USUN CONCERNED WITH UN ACTIONS IN ALGIERS PRIOR TO AND FOLLOWING DECEMBER 11, 2007 ATTACK ON UN PREMISES/BRAHIMI PANEL WILL NOT ESTABLISH ACCOUNTABILITY FOR UN'S OPERATIONAL SECURITY FAILURES

1.(U) USUN has had informal discussions with UN staff, including Diana Russler (pls protect), from the Department of Safety and Security (DSS) regarding the circumstances surrounding the December 11, 2007 bombing of the UN field office in Algiers that killed seventeen (17) people. These conversations have also addressed the "Independent Panel on Safety and Security of UN Personnel and Premises," (Brahimi Inquiry) led by Lakdar Brahimi, which was established by the Secretary-General (SYG) in response to the bombing. Russler

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expressed her concern that the Terms of Reference (ToR) for the Brahimi Inquiry does not include a mandate to establish accountability for possible security failures relating to the bombing. The United Nations Staff Union has expressed the same concern in a letter to the SYG dated February 22, 2008. See para 10 for text of letter from the UN Staff Union to the SYG.

2.(U) Russler stated that she had expressed concerns with the actions of the UN and UNDP regarding security at the UN field office in Algiers both prior to and following the bombing. Russler stated that prior to the bombing, the UNDP Resident Coordinator (RC), Mr. Marc de Bernis, ignored threat assessments and reports warning of a possible attack from a DSS security officer in Algiers, Mr. Babacr Ndiaye (who was killed in the bombing). Russler also stated that the U/SYG for DSS, Mr. David Vaness, coordinated with UNDP to draft a confidential preliminary report for submission to the SYG.

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She said that this confidential report omits analysis from the Inter-Agency Security Management Network (IASMN) and others within DSS, and also sought to deflect accountability for the security failures in Algiers from DSS, UNDP and the Algerian Government. Russler told USUN that U/SYG Vaness stated that he will resign if he and/or DSS is blamed for the Algiers bombing. This confidential report, which was apparently leaked to the Washington Times, states that the UN did in fact receive advance warnings of an impending attack from Mr. Ndiaye. See para 6.

3.(U) UN RECEIVED WARNINGS OF ATTACK ON UN PREMISES IN ALGIERS. Russler stated that the DSS security officer in Algiers, Mr. Babacr Ndiaye of Senegal, issued several threat assessments and other reports to the UNDP RC, Mr. Marc De Bernis, in which he warned of the high probability of an attack on the UN premises in Algiers. Russler stated that reports issued by Mr. Ndiaye included specific recommendations to raise the threat level from Phase One (the lowest threat level) and to install retractable metal-barricades to protect against car bombings. Notably, both the SYG and the UNDP Administrator have stated in the media that no one in the Organization received any advance warnings from "whatsoever sources on this issue."

4.(U) Russler stated that DSS retrieved Ndiaye's laptop and safe contents from the attack site. Included in these materials are copies of the threat assessments and other reports that Ndiaye sent to the UNDP RC in Algiers and to DSS at UN Headquarters in New York. Russler stated that she will only share copies of these materials with the Panel established by the SYG.

5.(U) U/SYG VANESS'S CONFIDENTIAL REPORT TO THE SYG: Russler stated that after the attack, she was tasked with drafting an initial confidential report for submission to the SYG. Russler stated that her draft report sought to establish preliminary accountability for the operational security failures in Algiers. Russler stated that U/SYG Vaness, in coordination with UNDP, subsequently "gutted" the report of much of its substantive analysis and removed sections which sought to establish initial accountability within DSS and UNDP. Russler stated that when U/SYG Vaness submitted his revised report for clearance to the Inter-Agency Security Management Network (IASMN), the IASMN refused to clear on the draft because it was "a piece of crap." Russler stated that U/SYG Vaness disregarded the edits and recommendations submitted by IASMN and submitted the report as revised by him and UNDP directly to the SYG without IASMN clearance.

6.(U) A copy of this confidential preliminary report has apparently been shared with the Washington Times. In an article dated March 14, 2008, the Washington Times reports that the preliminary report states that "The hostile intent against the UN in Algeria was present and well-known before the attack" and that "six months before the attack, 'the media branch for (Al Queda in the Maghreb) issued a direct threat against the U.N.'" Furthermore, the Washington Times article states that the preliminary report states that "care has been taken not to apportion blame or responsibility."

7.(U) SYG ESTABLISHES PANEL TO BE LED BY LAKHDAR BRAHIMI. The "Independent Panel on Safety and Security of UN Personnel and Premises" was established by the SYG to review security

arrangements around the world. The Panel is led by Lakhdar Brahimi and consists of the following five (5) members: Elsayed Ibrahim Elsayid Mohamed Elhabbal (Egypt); Anil Kumar Gupta (India); Unit Pamir (Turkey); Thomas Boy Sinabde (South Africa); Margareta Wahlstrom (Sweden). The Brahimi Inquiry began its work on March 1, 2008. Russler stated that the ToR for the Brahimi Inquiry were ostensibly drafted by the Algerian government and expressed her concern that the ToR for the Brahimi Inquiry do not include an element of accountability for the Algiers bombing. The Brahimi Inquiry will not examine the facts of the UN security situation in Algiers prior to the bombing with a view to establishing accountability among DSS, UNDP, and/or the Host Country. Instead, the Brahimi Inquiry will conduct a global examination of security threats to the UN more generally.

8.(U) The UN Staff Union has echoed the concern expressed by Russler. In a letter from the Head of the Staff Union, Mr. Stephen Kisambira, to the SYG dated February 22, 2008, the Staff Union "express its alarm and disappointment that you appear to have no interest in seeking a determination of accountability or the 11 December 2007 terrorist attack on the United Nations premises in Algiers." (See para 10 for full text of letter from Staff Union to SYG).

9.(U) In the aftermath of the Canal bombing in 2003, SYG Annan established the "Independent Panel on the Safety and Security of UN Personnel in Iraq". Per the recommendation of this Panel, SYG Annan subsequently established the "Security in Iraq Accountability Panel" (SIAP) to undertake an independent audit and accountability procedure to review the responsibilities of key individuals in the lack of preventive and mitigating actions prior to the attack on the UN Headquarters building in Baghdad. SIAP specifically sought to "identify individuals in HQ and in the field who were

responsible for the managing and monitoring of security of UN personnel and property in Baghdad and make findings whether they should be held accountable by the Secretary-General." The report of SIAP was widely regarded as responsible, unbiased and transparent. The findings of the first Panel established by SG Annan led to the overhaul of the UN's security apparatus and the establishment of DSS. The Algiers bombing was the most deadly attack directed against the UN since the establishment of DSS. The bombing revealed significant shortcomings in the UN's operational security framework. Based on the testimony from individuals within DSS and reports in the media concerning security failures in Algiers, the TOR for the Algiers Panel does not contain an accountability mechanism similar to what was established by SIAP so that security lapses in security can be addressed and responsible individuals can be held accountable.

10.(U) Text of letter from Mr. Stephen Kisambira, President, United Nations Staff Union to Secretary-General Ban, February 22, 2008. Begin letter text:

Dear Mr. Secretary-General,

The United Nations Staff Union wishes to express its alarm and disappointment that you appear to have no interest in seeking a determination of accountability or the 11 December 2007 terrorist attack on the United Nations premises in Algiers. During a press conference on 7 January 2008, you were asked whether you thought it was "imperative for the credibility of the United Nations that there will be an independent investigation that is not being done by the person who was in charge of security to see whether security procedures were actually followed." Your response was, "I will see; I will reserve my judgment until I have a full report from DSS."

Following the receipt of the "full report from DSS," which specifically did not seek to establish accountability, on 14 January 2008 you were quoted in the media as saying "We are now going to try to find out more facts, and it's not only limited to the Algiers case" and that "We'd like to engage other member states, and other international experts on this issue, and try to find out ...what we can do more to strengthen our measures against all these possible attacks against the United Nations."

We fully agree that it is imperative to "find out more facts" and to "do more to strengthen run measures against all these possible attacks." We would expect the involvement of the staff in such measures. On 5 February 2008, however you appointed chairperson to lead a panel to review United Nations security worldwide in response to the attack in Algiers, without the involvement of staff. We find it disturbing that on such an important matter no consultations with the staff were made prior to the announcement. There are many questions regarding the appointment of the panel and the

definition of its terms of reference that must be answered before staff can find it acceptable. The panel, as presently announced, raises issues regarding lack of accountability and possible conflicts of interest.

We implore you to direct that the team led by Mr. Brahimi also examines, under its terms of reference, lapses in the UN security system which may have led to an increase in the loss of life in Algiers on 11 December 2007, compared to the loss of UN staff at the Canal Hotel attack in 2003.

Following the Canal Hotel attack your predecessor commissioned the "Report of the Independent Panel on the Safety and Security of the UN Personnel in Iraq" to, inter alia, "examine the adequacy of UN security policy, management and practices in Iraq prior to the attack." This report recommended that "In the case of Iraq, the Panel believes that the seriousness of the breaches in the security system

by the UN managers in charge at Headquarters and in the field warrants the setting up of a separate and independent audit and accountability procedure to review the responsibilities of key individuals in the lack of preventive and mitigating actions prior to the attack on 19 August."

Your predecessor acted on this recommendation, and created the Waltzer Panel which in fact found that several UN officials were responsible for their lack of preventative and mitigation actions. We respectfully request that you direct the Brahimi Panel to have the same responsibility that was given to the Waltzer Panel. Unfortunately the impression created by your public statements and those by your Spokespersons is that the Brahimi Panel will not examine the facts of the United Nations security system prior to the Algiers bombing, but rather will be a global examination of security threats. While there is merit in such an examination, it must not be allowed to overshadow the imperative question of accountability or Algiers.

On 10 January 2008, you stated to representatives of Member States that you "will work to deliver results; to create a stronger UN through full accountability of all parties." By avoiding the question of accountability for security failures in Algiers, you are not following your own words, and you are not leading by example. On 4 February 2008, you stated that your "overall goal is to develop an accountability framework that outlines clear roles, responsibilities and authorities for all levels and stakeholders of the Organization."

We believe that without accountability there is impunity. We ask that you not be complicit in a cover-up of what happened prior to the 11 December attack. The staff is sick and tired of the impunity extended by the office of the Secretary-General to senior managers for their failings

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especially in situations where it has led to death and disability. We request for an immediate and public clarification of your intentions.

Please accept, sir, the assurances of our highest consideration. End letter text.

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